

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| Applicants: | Filippa Brugliera, et al. | Examiner: | Vinod Kumar |
| Serial No.: | 10/526,133 | Art Unit: | 1638 |
| Filed: | March 29, 2006 | Docket: | 18612 |
| For: | FLAVANOID 3', 5' HYDROXYLASE GENE SEQUENCES AND USES THEREFOR | Dated: | June 2, 2008 |

Confirmation No.: 2581

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

RESPONSE UNDER 37 C.F.R. §§ 1.111 and 1.143

Sir:

In response to the Office Action dated April 1, 2008, setting forth a requirement for restriction and in accordance with the provisions of 37 C.F.R. §§1.111 and 1.143, Applicants provisionally elect, with traverse, Group I, drawn to an isolated nucleic acid molecule comprising a sequence encoding a flavonoid 3', 5' hydroxylase, a construct, a method of producing a transgenic plant, or a genetically modified plant comprising said nucleic acid molecule. Applicants further provisionally elect SEQ ID NOS: 11 and 12 as the elected sequences for continued prosecution. In addition, Applicants respectfully submit the following amendment for entry in the application.

CERTIFICATE OF ELECTRONIC FILING

I hereby certify that this correspondence is being deposited with the United States Patent & Trademark Office via Electronic Filing through the United States Patent and Trademark Office e-business website.

Dated: June 2, 2008


Xiaochun Zhu